

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CAROLINA ENCALADA, *et al.*

Plaintiffs,

V.

ANTHONY BLINKEN, *et al.*,

Defendants.

CASE NO. 2:21-cv-1644-BJR

JOINT STIPULATION AND ORDER HOLDING CASE IN ABEYANCE

The Parties, by and through counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 10(g) and 16, jointly stipulate and move for a 90-day stay of this case to allow for a possible resolution without further litigation. Plaintiffs bring this case pursuant to the Administrative Procedure Act seeking an order setting aside the revocation of Plaintiff Luis Calle's and Sanbeom Park's immigrant visa petitions. There is good cause for the stay.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every

1 court to control the disposition of the causes on its docket with economy of time and effort
2 for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936).

3 Defendants need additional time to investigate and implement a possible resolution
4 here. Defendants have diligently worked on this matter since the recent service of the
5 Complaint. The United States Attorney’s Office was served with the Complaint on April
6 5, 2022. Defendants have until June 6, 2022 to respond to the Complaint. The Parties
7 believe that a 90-day stay will allow Defendants to continue to work towards resolution.
8

9
10 The Parties agree that if Plaintiffs’ claims are mooted, Plaintiffs shall dismiss this
11 litigation with each party to bear their own attorneys’ fees and costs.
12

13 The parties, through their counsel, jointly request that the Court hold this matter in
14 abeyance for 90 days. The parties further request that the Court vacate current deadlines,
15 including the Court’s initial scheduling dates (Dkt. No. 11) and Defendants’ deadline to
16 respond to the Complaint. The Parties will submit a joint status report to the Court on or
17 before 90 days from the date of this order.
18

19 Stipulated to and presented this 25th day of April, 2022.
20

21 NICHOLAS W. BROWN
United States Attorney

22 s/ Michelle R. Lambert
23 MICHELLE R. LAMBERT, NYS #4666657
Assistant United States Attorney
24 United States Attorney’s Office
1201 Pacific Avenue, Suite 700
25 Tacoma, WA 98402
26 Phone: 253-428-3824
27 Fax: 253-428-3826
Email: michelle.lambert@usdoj.gov
28 *Counsel for Defendants*

s/ William Frick
WILLIAM FRICK, WSBA# 26648
Law Office of William Frick PLLC
719 Second Avenue, Suite 701
Seattle, WA 98104
Phone: 206-286-0167
Fax: 206-770-7215
Email: william@fricklawfirm.info
Counsel for Plaintiffs

s/ Michael E. Piston
MICHAEL E. PISTON, MICH BAR# P34568
Law Office of William Frick PLLC
38-08 Union Street, Ste. 9A
Flushing, NY 11354
Phone: 646-876-3772
Fax: 206-770-6350
Email: michaelpiston4@gmail.com
Counsel for Plaintiffs
** PHV application pending*

ORDER

The Parties having so stipulated and agreed, the Court hereby ORDERS that this action shall be held in abeyance for 90 days. The Parties shall file a Joint Status Report with the Court on or before July 25, 2022. All current deadlines are vacated.

DATED this 26th day of April, 2022.

Barbara Rothstein

Barbara Jacobs Rothstein
U.S. District Court Judge